

Assembly Bill No. 647

Passed the Assembly August 31, 2009

Chief Clerk of the Assembly

Passed the Senate August 27, 2009

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2009, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 4465 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 647, Yamada. Vehicles: registration and title information.

Existing law requires the Department of Motor Vehicles to furnish the legal owner of record of a vehicle, upon his or her request, information regarding the current registration status of the vehicle, including the license plate number and address of the registered owner of the vehicle. Existing law also authorizes the department to charge a fee to pay for the cost of furnishing this information.

Existing federal law establishes the National Motor Vehicle Title Information System (NMVTIS) program in the United States Department of Justice (DOJ) to provide an electronic means to verify and exchange titling, brand, and theft data among motor vehicle administrators, law enforcement officials, prospective purchasers, and insurance carriers in participating states.

This bill would require the department, by January 1, 2010, to be in full compliance with the federal Anti Car Theft Act of 1992 and the DOJ's rules governing the federal National Motor Vehicle Title Information System (NMVTIS), to the extent practicable. The bill also would require the department, by that date, to eliminate any restrictions to consumer access to titling, branding, and theft information provided by the department to NMVTIS, to ensure that prospective purchasers have instant and reliable access to California's data.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) The electronic National Motor Vehicle Title Information System (NMVTIS) is a national federally mandated vehicle history database maintained by the United States Department of Justice (DOJ) to ensure that all states, law enforcement agencies, and

consumers have access to titling, branding, and theft information that will enable them to verify the accuracy and legality of motor vehicle titles before transfer or registration of the vehicle occurs.

(b) The Department of Motor Vehicles (DMV) currently restricts the release of the information it provides to NMVTIS to law enforcement agencies and other governmental agencies. Consumers are presently unable to access this information from NMVTIS and the DMV.

(c) NMVTIS requires that prospective purchasers have instant and reliable access to titling, branding, and theft data in the NMVTIS system.

(d) The DMV is currently working to comply with the federal law to provide titling, branding, and theft data so that consumer access may be provided by the American Association of Motor Vehicles Administrators (AAMVA), the system operator for NMVTIS. The DMV has stated that it plans to allow full consumer access to the information it is providing to NMVTIS by November 30, 2009, in compliance with DOJ rules.

SEC. 2. Section 4465 of the Vehicle Code is amended to read:

4465. (a) A legal owner of record of a vehicle may request, and the department shall furnish, information regarding the current registration status of the vehicle, including the license plate number and address of the registered owner of the vehicle. The department may charge a fee to pay for the cost of furnishing this information.

(b) (1) By January 1, 2010, the department shall be in full compliance with the federal Anti Car Theft Act of 1992 (Public Law 102-519) and the United States Department of Justice (DOJ) rules governing the federal National Motor Vehicle Title Information System (NMVTIS) (49 U.S.C. Sec. 30501 et seq.), to the extent practicable.

(2) Notwithstanding paragraph (1), by January 1, 2010, the department shall eliminate any restrictions to consumer access to titling, branding, and theft information provided by the department to NMVTIS, to ensure that prospective purchasers have instant and reliable access to California's data.

Approved _____, 2009

Governor